

House File 447 - Introduced

HOUSE FILE 447

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 54)

A BILL FOR

1 An Act requiring wireless communications service providers
2 to provide call locations in circumstances of emergency,
3 making penalties applicable, and including effective date
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 34A.16 Request for call location.

2 1. A wireless communications service provider shall
3 provide call location information concerning a device to
4 a law enforcement agency or officer or a public safety
5 answering point upon a request for that information if the law
6 enforcement agency or public safety answering point determines
7 the information is needed in an emergency situation that
8 involves the risk of death or serious physical harm.

9 2. Notwithstanding any provision of law to the contrary,
10 nothing in this section prohibits a wireless communications
11 service provider from establishing protocols by which the
12 provider could voluntarily disclose call location information
13 to a law enforcement agency or officer or a public safety
14 answering point upon a request for that information.

15 3. A claim or cause of action may not be brought against
16 any wireless communications service provider or employee for
17 providing call location information while acting in good faith
18 and in accordance with the provisions of this section.

19 4. *a.* Wireless communications service providers authorized
20 to do business in the state of Iowa, or submitting to
21 the jurisdiction of Iowa, and all resellers of wireless
22 communications services authorized to do business in the state
23 shall submit contact information to the department of public
24 safety in order to facilitate requests from law enforcement
25 agencies or public safety answering points pursuant to this
26 section. Wireless communications service providers and
27 resellers of wireless communications services shall submit this
28 contact information annually by June 15 or immediately upon any
29 change in contact information.

30 *b.* The department of public safety shall maintain a database
31 containing emergency contact information for all wireless
32 communications service providers and all resellers of wireless
33 communications services authorized to do business in the state
34 and shall make the information immediately available upon
35 request to all public safety answering points in the state.

1 5. A person filing a false report with law enforcement or
2 a public safety answering point that results in a request for
3 call location information under this section may be subject to
4 criminal penalty pursuant to section 718.6.

5 Sec. 2. RULES. The department of public safety shall, by
6 December 31, 2015, adopt rules to implement and administer this
7 Act.

8 Sec. 3. EFFECTIVE DATE. The section of this Act enacting
9 section 34A.16 takes effect January 1, 2016.

10	EXPLANATION
----	-------------

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill enacts new Code section 34A.16 requiring wireless
14 communications service providers to provide call location
15 information concerning a device upon the request of a law
16 enforcement agency or officer or a public safety answering
17 point. The agency or officer or a public safety answering
18 point may request the call location information for emergency
19 situations involving the risk of death or serious harm. The
20 bill states that a claim or cause of action may not be brought
21 against wireless communications service providers or employees
22 when acting in good faith in accordance with the bill. The
23 bill also requires wireless communications service providers
24 and resellers to provide contact information to the department
25 of public safety. The bill provides that the department of
26 public safety is required to maintain a database containing
27 this information and the information is to be made immediately
28 available upon request to all public safety answering points
29 in the state. New Code section 34A.16 takes effect January 1,
30 2016.